

## AB 1987 – Adam’s Law

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### Assemblyman Michael N. Villines

#### Summary

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This bill will raise the sentencing standards for anyone who abuses a child under the age of 8 and causes permanent injury or disability to the child. The increased punishment will carry a 15 year to life sentence.

A punishment of 15 years to life for this crime is appropriate; it is less than the punishment for an assault that results in death of a child, but more than the punishment for the crime of felony child abuse that results in nonpermanent injury.

#### Background

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In November of 2004, a young resident of Fresno, Adam Carbajal, became a victim of child abuse (shaken baby syndrome with severe head trauma). Although Adam was initially given only a five percent chance of survival, he lives today with permanent brain damage and is paralyzed on his right side. Adam cannot walk or talk.

Adam’s perpetrator was charged with willful cruelty and a separate great bodily injury allegation for a child under 5; combined totaling a maximum sentence of 12 years. After skipping bail and being on the run for months, then harassing Adam’s family and insisting Adam fell on his own (only to later plead guilty) Adam’s assailant was sentenced to ten years in prison. Of that sentence he will only serve seven and a half years.

Current law does not take into consideration the consequences or the end result of an incident of child abuse when determining

the sentence of a crime. Even if Adam’s injuries resulted in a broken bone, the child abuser’s punishment would remain the same.

#### Fiscal Effect

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None

#### AB 1987

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Amend Penal Code section 273ab to include a specific punishment (15 years to life) for an assault on a child under eight years of age, under circumstances or conditions likely to produce great bodily injury, resulting in permanent injury or disability to a child.

#### Support

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California District Attorney’s Association  
Fresno County District Attorney’s Office

\*No opposition to date.

#### Contact Information

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Bill text and status can be found at:  
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